

REMARKS

Claims 1, 14, and 26-36 have been amended. Claims 1-36 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 112, Second Paragraph, Rejection

The Examiner rejected claim 5 under 35 USC § 112, second paragraph, as being indefinite. Although Applicants traverse this rejection, Applicants have amended the claims for clarity. Applicants respectfully request removal of the § 112 rejection.

Section 103(a) Rejections:

The Examiner rejected claims 1-4 and 14 under 35 USC § 103(a) as being unpatentable over Dayal (U.S. Publication 2004/0172385) in view of Doan et al (U.S. Patent 6,421,661) (hereinafter “Doan”), claims 10 and 11-13 as being unpatentable over Dayal in view of Doan and further in view of Klein et al. (U.S. Patent 6,728,958) (hereinafter “Klein”), claims 15-18, 25-29 and 36 as being unpatentable over Fowler (U.S. Patent 4,502,116) in view of Lomet et al. (U.S. Patent 5,212,788) (hereinafter “Lomet”), and claims 19-24 and 30-35 as being unpatentable over Dayal in view of Lomet and further in view of Klein.

Regarding claim 1, Dayal in view of Doan fails to disclose, *manage a plurality of transactions initiated by one or more applications, wherein each transaction comprises a plurality of operations to one or more data sources that are required to be committed to the one or more data sources atomically for each respective transaction; pause the plurality of transactions managed by the transaction manager in response to a pause request to pause the transaction manager, wherein while paused, the transaction manager does not allow any of the plurality of transactions managed by the transaction manager to complete; and*

resume the plurality of transactions managed by the transaction manager in response to a resume request. Dayal is directed towards a report governor configured to pause the formatting of query results if system resources exceed a predetermined threshold. A query is a read-only operation, executed to retrieve data from a data source, often for reporting purposes. When a query is executed, nothing is written or committed to the database and no data in the database is changed. A “transaction” is defined in the claim as *a plurality of operations to one or more data sources that are required to be committed to the one or more data sources atomically for each respective transaction.* Applicant asserts Dayal fails to teach a transaction or committing a transaction atomically. Dayal has nothing to do with transaction management, let alone the specific limitations of claim 1.

Doan also fails to disclose the limitations of claim 1. Doan discloses a method and apparatus for accessing a hierarchical database modeled into an object framework. The system disclosed by Doan retrieves or reads data, which does not require a transaction. Column 6, lines 2-6 states, “Data is retrieved from the objects framework in response to a query request received from an application program, wherein the query request conforms to a syntax that supports one or more data types used by the database system.” Doan has nothing to do with transaction management, let alone the specific limitations of claim 1.

Applicants reminds the Examiner that to establish a *prima facie* obviousness of the claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. The cited art clearly does not teach or suggest all limitations of the currently pending claims. In fact, the cited art has very little relevance to Applicants’ claimed invention.

In regard to claim 14, the cited art does not teach or suggest one or more application servers configured to run one or more applications each configured to initiate one or more transactions, wherein each of the one or more transactions comprises a plurality of operations to one or more data sources that are required to be committed to the one or more data sources atomically for the transaction; and provide one or more

transaction managers configured to manage the one or more transactions initiated by the one or more applications, wherein one of the transaction managers is configured to pause a corresponding one or more transactions in response to a pause request and to resume the corresponding one or more transactions in response to a resume request, wherein while paused, the transaction manager does not allow the corresponding one or more transactions to complete. As discussed above, neither Dayal nor Doan has anything to do with transaction management.

Regarding claim 15, contrary to the Examiner's assertion, Fowler in view of Lomet fails to disclose, *generating a request to pause a transaction manager; pausing the transaction manager in response to said request, wherein while the transaction manager is paused, transactions managed by the transaction manager are prohibited from completing; generating a request to resume the transaction manager; and resuming the transaction manager in response to said request, wherein when the transaction manager is resumed, transactions managed by the transaction manager are allowed to complete, wherein each transaction managed by the transaction manager comprises a plurality of operations to one or more data sources that are required to be committed to the one or more data sources atomically for each respective transaction.* Fowler is directed towards a system and method to implement a synchronization interface circuit whereby the pausing of one processor in a system with multiple processors causes other interconnected processors to pause. The method and system taught by Fowler enables the synchronized resumption of the interconnected processors. The Examiner cites column 2, lines 7-9, which states, "A stopping (pausing) of one processor in the multi-processor system and the resultant stopping (pausing) of the remaining processors." Applicants assert that pausing processors has nothing to do with pausing a transaction manager as recited in claim 15. Further, Fowler does not teach transactions, a transaction manager, generating a request to pause a transaction manager, or generating a request to resume a transaction manager. Lomet does not overcome the above noted deficiencies of Fowler. While Lomet does actually mention a transaction manager, unlike the other cited references, Lomet does not teach or suggest pausing a transaction manager, and while the transaction manager is paused, transactions managed by the transaction manager are

prohibited from completing. Neither Fowler nor Lomet teach generating a request to pause a transaction manager or resuming a transaction manager in response to a request to resume, as recited in claim 15.

Claim 26 includes limitations similar to claim 15, and so the arguments presented above apply with equal force to this claim as well.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/6581-15100/RCK.

Respectfully submitted,

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